[8. / 4]
160—9-1-

Judicial (1908) Department.

(1)

ORDINARY

G.O., No. 1092

CONFIDENTIAL No. 169

DATED 10-8-1908.

(19)

[Abstract.]

Newspapers in the Kistna District. —

Publication of certain seditious article in the "Kistna Patrika"

G.O.	No.	Department.	Date.	G.O.	No.

RV: 328
6.309

செப்பனிடுபவர் பெயர்
ரா. தையல்நாயகி
செப்பனிடுவதற்காக எடுத்துக்
கொள்ளப்பட்ட நாள் 4/2008

செப்பனிட்டு முடித்த நாள் 7/2008

22/7/08 23/07/08 /8/08

சரிபார்க்கும் மு.நி.ப.த.அ. கையொப்பம்

ஆராய்ச்சி உதவியாளர் கையொப்பம்

2/1
200—13-6-11.

CONFIDENTIAL.

(2)

1092

CURRENT FILE.

From	Number.	Date.	Pages.

Conf. ch. No 99

(3) / 1092

8,000—20-5-01

JUDICIAL

~~Revenue~~ (1908) Department.

28 JUL 1908

CURRENT No.

From

[Name] E. Scott Esq., I.C.S.,

[Designation] District Magistrate, Kistna

[Station] Masulipatam.

Papers placed

No. A 2

Dated 23rd July 1908.

Enclosures 5

Received 190 .

Registered 190 .

SUBJECT.

Publication of a seditious article in the 'Kistna Patrika' Newspaper of the 5th July 1908.

BACK PAPERS.

FURTHER PAPERS.

To

Chief
The Secretary to Government,

Judicial
~~Revenue~~ Department.

Sir,

I have the honour to bring the following fa
to the notice of Government for orders.-

2. On the 8th instant a copy of the 'Kistna Pat
newspaper of the 5th instant was received in my offic
from a subscriber. It contained on page 8 a paragrap
headed "Karur Sedition case" and purporting to give a
port of a speech delivered by one Krishnaswami at Kar
A translation of this paragraph is enclosed (marked I
will be observed that the contents are extremely sedi
On the 9th instant a copy of the paper, for which I s
scribe officially, was as usual sent to my office. I
copy the sheet containing pages 5 to 8 was absent.
accordingly wrote to the office of the newspaper poin
out that pages 5 to 8 were missing and asking for a c
plete copy of the paper. To this I received on the 1
instant the reply that"pages 5 to 8 had not been publ
On the afternoon of the 9th instant , as I was about to -
leave Masulipatam for Bezwada, I received a letter from -
the Editor of the newspaper asking for an interview. I
replied that I was leaving for Bezwada, but that it would
be well for the Editor to come to Bezwada to see me on the
11th instant. He did not appear on the 11th but on the -
13th instant I received a letter from him dated the 10th
instant, but which had not been despatched from Masulipat
until the 12th instant, that 'business did not allow him
to leave' Masulipatam. On the 13th instant I wrote to -

M.R.Ry. S. Hanumantha Rao, Government Pleader, who is a member of the District Association to which the 'Kistna Patrika' belongs. A copy of my letter is enclosed (marked II) In this letter I pointed out that an extremely seditious article had appeared in the paper and requested to be informed what steps the District Association were prepared to take in the matter. At the same time I asked for answers from the Association to the following three questions:-

page 7 c.f

(1) Is the Association and every individual member of the Association prepared to give me a guarantee that no article of a seditious tone or character will be published?

(2) Is the Association prepared to remove atonce from all connection with the paper the present Editor and Sub-Editor, who presumably are directly responsible for the publication of the article?

(3) Is the Association prepared to express publicly in the 'Kistna Patrika' and such other papers as I select its regret for the publication of the articles and to destroy any copies of the articles which are in its possession?

p9 c.f

3. On the 15th instant I received a reply from M.R.Ry. S. Hanumantha Rao (Copy enclosed marked III). In this Mr. Hanumantha Rao stated that pages 5 to 8 of the issue of the 5th instant were not issued to the public but were destroyed by the Editor, and that though it had not been possible to hold a meeting of the Association he could assure me that the Association would be ready to take the action I suggested. On the 17th instant I saw Mr. Hanumantha Rao at Masulipatam, and requested him to place my letter of the 13th instant before the District Association without delay, and to communicate the result to me. A meeting of the District Association was held on the 18th instant and on the 19th instant I received a copy of the Proceedings of the meeting with a letter from Mr. Hanumantha Rao. I enclose a copy of this letter (marked IV) and of the Proceedings (marked V). The resolutions --

p11 c.f
p13 c.f

passed by the District Association at the meeting were as - follows:-

(1) The Association and its members are prepared to - guarantee that no article of a seditious character is published in the Kistna Patrika.

(2) The present Editor and the Sub-Editor having resigned their offices and the Association having acepted their resignations , their connection with the Patrika has ceased completely

(3) The Association is prepared as suggested by the District Magistrate to express its regret for the printing of the article in question in pages 5 to 8 of the Patrika of 5th July. The editor of the Patrika having destroyed all the copies of the said pages before the issue of the Patrika, there are none in existence. The Association regrets that, in spite of the best endeavours of the Editor to suppress and destroy all the copies before the issue of the Patrika, any should have escaped.

4. In the letter which accompanied the Proceedings Mr. Hanumantha Rao stated that the Association would in futurre -- 'take all possible care in selecting proper persons to edit the Patrika and will remove promptly the Editors that do not carry out its aims or overstep the limits of legitimate criticism of Government measures; and would see that no article which could possibly be construed as one of a seditious character will ever appear'. He also stated that the article in question was 'a translation of the subject matter of the charge in the Karur Sedition case", that the Editor thinking its - publication undesirable 'suppressed and destroyed the sheets containing it' and had taken care to see that all copies of the sheet were destroyed before the issue of the 5th July was published, and that the copy which I received "must have been got at clandestinely by some body".

5. That the allegations said to have been made by the -- Editor are not true there can I think be little doubt. My information is that a small number of complete copies of the paper were sold at the Press office on the 6th July but that on the advice of some persons belonging to the Association,

4

5/1092

(the Government Pleader and one Valluri Suryanarainarao, also a pleader, have been mentioned) who considered the article seditious, the sheet containing pages 5 to 8 was removed from the unsold copies. However I have not been able to procure any additional copies of the paper with pages 5 to 8, and the copies which were sold with these pages would appear to have been obtained and destroyed by the Association, and it is possible that the evidence forthcoming may fail to prove satisfactorily that the article was published.

6. The question to be considered is whether any action should be taken to prosecute the printer and publisher, M.Krishna Rao, and to get the Press confiscated under Section 3 of the Newspapers Act. With regard to the prosecution of M.Krishna Rao I am inclined to think that it is unnecessary. As Government is aware the Proprietor and the Editor of the 'Swaraj' newspaper of Bezwada are now in jail awaiting their trial under Sections 124 A, 153 A and 505 I.P.C., and I am satisfied from what I have heard from many persons that the action taken against these persons has made such an impression that there is little likelihood of seditious publications being issued hereafter or of seditious speeches being encouraged or tolerated. Further the removal of M. Krishna Rao from all connection with the 'Kistna Patrika' will make it impossible for him to do much harm hereafter.

U Gazette of India

7. As to action under the Newspaper Act the Kistna Swadeshi Press at which the 'Kistna Patrika' is printed belongs to the brothers C. Srinivasa Rao and C. Madhava Rao who owned the Navayuga Newspaper and who have been among the seditious lecturers in the District. As anticipated in para 8 of my letter A dated 25th June 1908 the Navayuga has ceased publication from this week, and is not likely to be started again. Having regard to this fact and to the undertaking given by the District Association in their resolution of the 18th instant in regard to future issues of the 'Kistna Patrika', I do not recommend any proceedings under the Newspaper Act.

GO 922 / 3.7.08

8. I do not now propose to ask the District Association to

express its regret in any Newspapers for the publication of the article unless Government considers such a course desirable.

I have the honour to be,

Sir,

Your most obedient Servant,

E. Sen

District Magistrate.

I. 6

6/1092

Karur Sedition Case.

Lecture of Krishnaswamy.

Kistna Patrika,

dated 5th July 1908.

Page 8.

One could dilate at any length on the improper actions done by the white faced people. Swadesis are punished. The white people wanted to do us harm by giving 2 lakhs of rupees to the Komilla Nawab. How can we bear this injustice of Government? The population in England is 10 lakhs and we are 30 crores. If we all unite and make an attempt may we not perhaps conquer them and attain Swaraj ?. So I beg of you to work for your own country. They are not more civilised than ourselves in any respect. Unless we have Swaraj we cannot have good days. The white faces have made education dear in order to ruin us. We do not want the titles which Government gives. They deceive us in that way . The Government's pleasure is transitory. They place 1½ times the quantity in their bellies and give us ½ the quantity. There is no enthusiasm here. In a dead place like Tuticorin a Swadeshi attempt was made to destroy foreign courts. Why should we not do likewise ? They are enlisting our people in the army on mean pay. In order to protect our mother why do they not shoot the white faces and advance Swadesi ? By thus doing will not Swaraj come to us ? They are ungrateful to us while living on our money. Are we not observing their illegalities? We have to put up with what the white people do. We should all work for the mother country. We spend our money in paying pensions to the foreigners and we are empty. While in England the police men are paid Rs. 375 our men are paid Rs.7 Is this not deceit? If we all unite can we not blow up the whites like cleaned cotton?

(True translation.)

E. [illegible]

II.

7/1092

Copy of letter to M.R.Ry. S. Hanumantha Rao.

Dated 13th July 1908.

There appeared last week in the Kistna Patrika Newspaper which is printed and published in Masulipatam and is owned by the Kistna District Association an extremely seditious article. You will understand to which ~~which~~ article I refer. I am now writing to you as you are a member of the District Association and are presumably, having regard to your position, one of the most prominent. You will readily understand that the publication of such articles cannot be permitted, and that it is my duty to take such steps as will prevent their publication --- hereafter. I wish therefore to know what action the District Association as Proprietor of the Newspaper proposes to take. I should therefore like you to lay this letter before the -- Association and have transmitted to me answers to the following questions:-

(1) Is the Association and every individual member of the Association prepared to give me a guarantee that no article of a seditious tone or character will be published hereafter ?

(2) Is the Association prepared to atonce remove from all connection with the paper the present Editor and Sub Editor, who presumably are directly responsible for the publication of the article already referred to ?

(3) Is the Association prepared to express publicly in the Kistna Patrika (~~Madras Mail and Hindu~~) and such newspapers as I may select it's regret for the publication of the article and to destroy any copies of the said - article in its possession ?

I hope my writing to you will not be misunderstood as implying that I consider you were personally concerned in any way in the publication of the article. I have every reason to --- believe the contrary and I am addressing you because, as Public Prosecutor, you occupy a semi official position and at the same time are a gentleman whose opinion will hold weight with your fellow members. No one could regret more than myself to have to take steps which may appear to interfere with the freedom of the public press but to all toleration there must be a limit

and that limit has been overstepped by the article to which I refer.

I would add that so long as you hold the post of Public Prosecutor I rely on you to see that the District Association to which you belong is not directly or indirectly guilty of or in any way responsible for any act which may be construed into disloyalty to the Government.

I should like to have a reply by the 15th instant. Of course, it rests with Government to decide what action shall eventually be taken in regard to the publication of the article.

(True Copy)

E. [illegible]

Copy of letter from M.R.Ry. S. Hanumantha Rao of Masulipatam dated 15th July 1908.

8/2092

In your letter of the 13th instant you refer me to an article in the issue of the Kistna Patrika of "last week" which I take you to mean the issue of the 5th instant. In connection with it, I beg to state that only pages 1 to 4 and 9 to 12 were published and the pages 5 to 8 were not issued out of the press to the public but were destroyed by the Editor of the paper on account of some matter that found a place therein by mistake which was considered undesirable to be published. The editor regretted that such mistake should have been committed and he has assured me that no paper was issued with those pages and from the inquiries I have been able to make from the subscribers here I find that none of them received pages 5 to 8 In the subsequent issue of the Patrika published on the 12th instant, a note was also made about the non publication of the pages 5 to 8 in the issue of the 5th instant. If however any other issue or article was intended, I shall be glad to have the reference so that the Association may take the necessary action immediately.

2. Meanwhile, though I have not been able to hold a formal meeting of the Association having received your letter on the night of the 13th instant, I have consulted several important members of the Association and I am in a position to assure you that neither the Association nor its members will ever countenance the publication of any seditious matter in the Kistna Patrika and the Association will see that no article of seditious character is published in the Patrika. The Association is always prepared to express publicly its regret for the publication of <u>any</u> seditious article that finds a place in the Patrika and also to destroy all the issues containing such matter as suggested by you. Neither the District Association nor the Kistna Patrika has any programme which includes any objects calculated to create disloyalty and it is the desire of the Association that the Patrika is conducted properly and the

Association is ready to remove the Editor and the Sub-editor who do not carry out its objects and to replace them by suitable persons with all practicable dispatch.

3. I may personally assure you that it shall always be my endeavour to see that the Association is not guilty of any act which may be construed into disloyalty to the Government and that it does not lend its support directly and indirectly to any such act.

4. I wish to have an opportunity to explain in person the aims and objects of the Association and the Patrika so that there may not be any possible misunderstanding in respect of them and the Association may be in a position to carry out any suggestions that may be made by you. I shall be glad to be informed if I can meet you on Saturday next (1st instant) at Bezwada or any such other place as you may fix.

(True Copy)

IV.

Copy of letter from M.R.Ry. S. Hanumantha Rao, Masulipatam dated 19th July 1908.

9/1092.

As stated by me in person on the 17th instant, a meeting of the Kistna District Association was held yesterday and I send you herewith a copy of the resolution passed at the meeting In connection with the reply to your question No. 1 I am asked by the Association to represent that the Association as a body can only act by entrusting the editing of the Patrika to a single editor and it will not be possible for it or for its members to go through every article before it finds a place in the paper. But the Association and its members will take all possible care in selecting proper persons to edit the Patrika and will exercise their powers of control by removing promptly the editors that do not faithfully carry out its aims or overstep the limits of legitimate criticism of the Government measures. The Association will see that no article which can possibly be construed as one of a seditious character will ever appear in the Patrika.

2. In connection with the reply to question No. 2, I may state that the editor that resigned happened to be its printer also and as yesterday and today are public holidays it has not been possible for him to withdraw his declaration before the Deputy Magistrate and he will withdraw his declaration tomorrow.

3. In connection with the reply to question No. 3, I am asked by the Association to state that in respect of the printing of the article headed "Karur Sedition case - Krishnaswamy's speeches" the Association is informed that it was a translation of the subject matter of the charge in the Karur Sedition case but the editor thought its publication was undesirable and the editor exercised his discretion by suppressing it and destroying immediately the sheets containing it. The editor assured the Association that he had taken care to see that all the copies of the sheet in question were destroyed before the issue of the Patrika dated 5th July last was published and the sheet that reached you must have been got at -

clandestinely by some body and sent to you. The Association will express its regret in the Kistna Patrika as suggested - by you and wishes to be informed whether you consider it -- necessary that similar regret should be expressed in other - newspapers and if so the names of those newspapers, so that - the necessary communication may be sent to them.

(True Copy)

E. [illegible]

Proceedings of a general meeting of the Kistna District - Association held on 18th July 1908.

10/1092

Read confidential letter of the District Magistrate, -- Kistna to M.R.R. S. Hanumantha Rao Garu, dated 13th July 1908.

Resolved unanimously that the following replies be sent to the District Magistrate to the three questions referred to in his letter.

(1) The Association and its members are prepared to -- guarantee that no article of a seditious character is published in the Kistna Patrika.

(2) The present Editor and the Sub-Editor having resigned their offices and the Association having accepted their resi - gnations, their connection with the Patrika has ceased completely.

(3) The Association is prepared as suggested by the District Magistrate to express its regret for the printing of the article in question in pages 5 to 8 of the Patrika of 5th July. The Editor of the Patrika having destroyed all the copies of - the said pages before the issue of the Patrika, there are none in existence. The Association regrets that, in spite of the best endeavours of the Editor to suppress and destroy all the copies before the issue of the Patrika, any should have escaped.

(sd) S. Hanumantha Rao
Chairman.

(True Extract)

[signature]

11
1092

CONFIDENTIAL.

NOTES.

Bue c9. 30.7.8

12/1092 **NOTES.** 14 Page 1

Judicial Deptt.

[C99] From the D. M. Kistna
A 2 d 23.7.08

Publication of a seditious articles in the "Kistna Patrika" of the 6th July /08

Submitted for orders

N.T. 29.7.8

C.S.

Cas 30.7.8.

~~Hon. Mr Hammick C.S.I.~~ & Circ

Mr Scott has managed this business firmly & well: I think he might be ~~told~~ so. And I think his recommendations may be approved.

I invite attention to the papers in the accompanying sealed cover.

[illegible] 30.7.08

Mr Scott's recommendation may be accepted. He managed the affair satisfactorily.

[illegible] 30 vii 08

I think this incident shows how easily we c^d have stamped out much of the trouble which has been going on in Kistna long ago if we had only shown a little firmness. I think Mr. Scott acted capitally and has shown up excellently in this matter. I think he is quite right in not requiring any public repudiation of the article. Mr. Scott sh^d be commended.

[initials] 31/7/08.

I agree.
We may commend Mr. Scott's action

[initials] 7.8.08

Draft.
[initials] 8.8.08

O.S.
Please see the draft below.
[initials]
8.8.8.

Issue.
[initials] 8.8.08

14/1092 16

Read Ref. no. A2 dated 23rd July 1908 from the D. M. Kistna regarding the publication of a certain article in the "Kistna Patrika" newspaper of the 5th July 1908.

Order no 1092 Dy. 10.8.08
mis.

The Govt. entirely approve the action of the D. M. and agree with him that no further action is at present necessary.

2. H. E. in Council desires to place on record his appreciation of the manner in which Mr. Scott has ~~conducted the investigation~~ dealt with ~~of~~ the matter referred to.

Ch.
8.8.8.

[illegible] 8.8.08

Desp. 11/8/08

The D. M. Kistna.

Pub X to sec
(in original)

Noted in
D. C. S.
Register of
Registrar

200—1-..B. **CONFIDENTIAL,** 15/1092 16 JUL 1908 17 **C.I.D.**

From the Criminal Investigation Department, Dated 14. 7. 1908.

Chief Secretary—

M. No 712
14.7.08

Copy of report from D.S.P. Kistna regarding a seditious article in the Kistna Patrika. The Editor is B.C. Pal's friend Mutnuri Krishna Rao the prime mover in much mischief in the Telugu Districts. Please refer to his History Sheet and paragraph No 906 current Secret Abstracts for fuller particulars about him.

With reference to D.S.P remarks about the Public Prosecutor it is probable that the information is mere information and cannot be substantiated. Para 504 current Secret Abstracts throws some light on the subject.

I have addressed the Telugu Translator urgently enquiring about his copy and asking him to send me a translation of any objectionable article in the pages mentioned as missing by D.S.P.

Submitted.

[illegible]
14.7.08.

CONFIDENTIAL.

16/1092

18

Kistna, 11th July 1908. The Collector and myself both received our copies of the Kistna Patrika for the 5th of July minus sheets Nos. 5, 6, 7 and 8; these sheets were extracted on the advice of the Public Prosecutor as page No. 8 contained seditious matter. Fortunately some copies had been issued intact before the editor received this advice. The intact copy which was sent to the Collector was sent by a person who had quarrelled with the extremist party over the publication of a Telugu pamphlet. A translation of the seditious article will be forwarded as soon as I can procure one. The editor is at the bottom of all disaffection in Bunder. He is the wire-puller of the extremist party. I trust his feelings have exceeded his discretion and that now we shall be in a position to put a stop to his mischief-making.

District Magistrate's remarks dated 13th July 1908.

The article referred to purports to be a report of the speech of the Karur agitator Krishnama Chari and is extremely seditious, I am taking action in regard to it.

On the day I received the complete copy the editor wrote and asked for an interview and I told him to come and see me here on the 11th instant. He did not come however and consultations are evidently being held as to what course should be adopted. I also wrote officially pointing out that the copy of the paper sent me was incomplete and asking for the missing pages; to this I have so far had no reply.

17/1092

Hon. Mr. Hammick C.S.I. & circ.
To prevent possibility of delay I had better write to C.I.D. & Mr. Scott to report further at earliest possible date.

[illegible] 16.7.08

Yes. If this issue is really seditious it will be well to prosecute & search. This man M. Krishna Rao is said to be in correspondence with the Bengal people.

[illegible] 16 vii 08

If action had been taken long ago agt. this man and his friends much of the mischief wd. have been nipped in the bud. I see the Swarajya has stopped publication on the prosecution of the Swaraj. This man shd. certainly be prosecuted if possible.

[illegible] 17.7.08

[illegible] 19.7.08.

U.S.
Please Draft. & keep this yourself.

[illegible] 20.7.08

C.S.
See below.
[illegible] 20.7.08.

My dear ~~[illegible]~~ David,

18/1092 20

Please refer to your note dated ~~the~~ 14th instant regarding the publication of the Kistnapatrika on the 5th July minus sheets Nos. 5, 6. 7 & 8. I am directed to ask you to report further particulars to Govt. at the earliest possible date. Your report should be in full detail.

Yrs

Cbd
20.7.8.

My dear Scott,

I am directed to ask you to report to Govt. at the earliest possible date ~~any~~ full ~~further~~ information regarding the articles which were published ~~[illegible]~~ in the issue of the Kistnapatrika of ~~the~~ 5th July, but which were expunged in the copy sent to you. You should also say what action you have taken in the matter.

Yrs

Cbd
20.7.8.

[Dd. 20 7 08.]

Issue
[illegible] 20.7.08